

**Re.** : Amendment and Response to Office Action Mailed March 1, 2010  
**Appl. No.** : 10/789,581  
**Filed** : February 26, 2004

## **I. AMENDMENTS TO THE CLAIMS**

The following listing of the claims replaces all prior versions and listing of the claims in the application:

1-28 (Cancelled)

29. (Currently Amended) In an instant connect call between devices, a method for selectively replaying voice data received by a communication device, the method comprising: A method as defined in Claim 28, further comprising:

receiving real-time voice data at a communication device of a recipient in an instant connect call;

playing the real-time voice data being received at the device while buffering the real-time voice data in a buffer; and

in response to input from the recipient during the instant connect call and while continuing to buffer the real-time voice data in the buffer from the instant connect call;

preventing the real-time voice data being received from being played; and

replaying at least a portion of the buffered voice data from the buffer during the instant connect call;

wherein buffering the voice data in a buffer further comprises removing silences in the voice data received from one or more senders such that silences are not buffered;

determining that a section of the buffered voice data is missing packets;

requesting the missing packets;

inserting packets that are received and that correspond to the missing packets into the section of the buffered voice data to improve a quality of the section of the buffered voice data; and

replaying the section of the buffered voice data with the one or more of the inserted packets.

30-51. (Cancelled)

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52. (Previously Presented) In a communication device configured to send and receive network-based instant connect calls, a method comprising:

receiving first voice data of a network-based instant connect call;

receiving second voice data as part of the network-based instant connect call;

playing the first and second voice data;

storing, in a buffer of the communication device configured to send and receive network-based instant connect calls, the first and second voice data;

receiving third voice data as part of the network-based instant connect call;

inserting, in the buffer of the communication device configured to send and receive network-based instant connect calls, the third voice data between the first and second voice data; and

in response to user input, playing the first, second, and third voice data from the buffer.

53-54. (Cancelled)

55. (Previously Presented) The method as in Claim 29, wherein the communication device comprises a mobile telephone.

56. (Previously Presented) The method as in Claim 52, wherein the communication device comprises a mobile telephone.

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57. (Previously Presented) A system comprising:

- a communication device configured to send and receive network-based instant connect calls, the communication device configured to:
  - receive first voice data of a network-based instant connect call;
  - receive second voice data as part of the network-based instant connect call;
  - play the first and second voice data;
  - store, in a buffer of the communication device configured to send and receive network-based instant connect calls, the first and second voice data;
  - receive third voice data as part of the network-based instant connect call;
  - insert, in the buffer of the communication device configured to send and receive network-based instant connect calls, the third voice data between the first and second voice data; and
  - in response to user input, play the first, second, and third voice data from the buffer.

58. (Previously Presented) The system as in Claim 57, wherein the communication device comprises a mobile telephone.

59-66. (Cancelled)

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67. (Currently Amended) In an instant connect call between devices, a method for selectively replaying voice data received by a communication device, the method comprising:

The method as recited in Claim 28, further comprising:

receiving real-time voice data at a communication device of a recipient in an instant connect call;

playing the real-time voice data being received at the device while buffering the real-time voice data in a buffer; and

in response to input from the recipient during the instant connect call and while continuing to buffer the real-time voice data in the buffer from the instant connect call; in further response to the input from the recipient during the instant connect call and while continuing to buffer the real-time voice data in the buffer from the instant connect call;

preventing the real-time voice data being received from being played;

replaying at least a portion of the buffered voice data from the buffer during the instant connect call; and

providing functions on the device related to the buffered voice data, wherein the functions enable the recipient to alter how the buffered voice data is replayed, including jumping to the real-time voice data when the recipient begins talking;

wherein buffering the voice data in a buffer further comprises removing silences in the voice data received from one or more senders such that silences are not buffered.

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68. (Currently Amended) In an instant connect call between devices, a method for selectively replaying voice data received by a communication device, the method comprising: The method as recited in Claim 28, further comprising:

receiving real-time voice data at a communication device of a recipient in an instant connect call;

playing the real-time voice data being received at the device while buffering the real-time voice data in a buffer; and

in response to input from the recipient during the instant connect call and while continuing to buffer the real-time voice data in the buffer from the instant connect call; in further response to the input from the recipient during the instant connect call and while continuing to buffer the real-time voice data in the buffer from the instant connect call;

preventing the real-time voice data being received from being played;

replaying at least a portion of the buffered voice data from the buffer during the instant connect call; and

providing functions on the device related to the buffered voice data, wherein the functions enable the recipient to alter how the buffered voice data is replayed, including jumping to the real-time voice data when the recipient requests a floor;

wherein buffering the voice data in a buffer further comprises removing silences in the voice data received from one or more senders such that silences are not buffered.

69. (Previously Presented) The method as recited in Claim 52, wherein the act of receiving first voice data comprises receiving a first set of one or more packets carrying voice data;

wherein the act of receiving second voice data comprises receiving a second set of one or more packets carrying voice data;

wherein the act of receiving third voice data comprises receiving a third set of one or more packets carrying voice data; and

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wherein the act of playing the first, second, and third voice data from the buffer comprises:

playing the voice data carried by the first set of one or more packets, then playing the voice data carried by the third set of one or more packets, and then playing the voice data carried by the second set of one or more packets.

70. (Previously Presented) The method as recited in Claim 52, wherein the act of playing the first, second, and third voice data from the buffer comprises playing the first voice data, then playing the third voice data, and then playing the second voice data.

71. (Previously Presented) The method as recited in Claim 52, wherein the act of playing the first and second voice data is performed after the act of storing, in a buffer of the communication device configured to send and receive network-based instant connect calls, the first and second voice data; and

wherein the act of playing the first and second voice data comprises playing the first and second voice data from the buffer.

72. (Previously Presented) The system as recited in Claim 57, wherein the communication device is configured to receive the first voice data by receiving a first set of one or more packets carrying voice data;

wherein the communication device is configured to receive the second voice data by receiving a second set of one or more packets carrying voice data;

wherein the communication device is configured to receive the third voice data by receiving a third set of one or more packets carrying voice data; and

wherein the communication device is configured to play the first, second, and third voice data from the buffer by:

playing the voice data carried by the first set of one or more packets, then playing the voice data carried by the third set of one or more packets, and then playing the voice data carried by the second set of one or more packets.

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73. (Previously Presented) The system as recited in Claim 57, wherein the communication device is configured to play the first, second, and third voice data from the buffer by playing the first voice data, then playing the third voice data, and then playing the second voice data.

74. (Previously Presented) The system as recited in Claim 57, wherein the communication device is configured to play the first and second voice data after storing, in a buffer of the communication device configured to send and receive network-based instant connect calls, the first and second voice data.

75. (Previously Presented) The system as recited in Claim 57, wherein the communication device is configured to receive the first voice data and receive the second voice data by receiving a plurality of packets carrying voice data;

wherein the communication device is configured to analyze the plurality of received packets to identify a missing packet;

wherein the communication device is configured to, in response to identifying the missing packet, request the identified missing packet; and

wherein the communication device is configured to receive the third voice data by receiving the missing packet, the missing packet carrying the third voice data.

76. (Previously Presented) In a first mobile telephone configured to send and receive network-based instant connect calls, a method comprising:

receiving voice data of a network-based instant connect call;

playing the voice data;

identifying a missing portion of the voice data;

in response to identifying the missing portion of the voice data, requesting the missing portion of the voice data;

receiving the missing portion of the voice data; and

in response to user input, replaying the voice data with the missing portion included.

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77. (Previously Presented) The method as in Claim 76, wherein the act of receiving voice data of a network-based instant connect call comprises receiving a plurality of packets carrying voice data.

78. (Previously Presented) The method as in Claim 77, wherein the act of identifying a missing portion of the voice data comprises analyzing the plurality of received packets to identify one or more missing packets.

79. (Previously Presented) The method as in Claim 78, wherein the act of receiving the missing portion of the voice data comprises receiving the one or more missing packets.

80. (Previously Presented) The method as in Claim 78, wherein the act of requesting the missing portion of the voice data comprises requesting the one or more missing packets from a network server.

81. (Previously Presented) The method as in Claim 78, wherein the act of requesting the missing portion of the voice data comprises requesting the one or more missing packets from a second mobile telephone that sent the voice data to the first mobile telephone.

82. (Currently Amended) The method as in Claim 76, further comprising ~~including an act of~~ buffering the voice data.

83. (Currently Amended) The method of claim 82, further comprising ~~including an act of~~ buffering the voice data while playing the voice data.

84. (Previously Presented) The method as in Claim 83, wherein the act of replaying the voice data is not done until the missing portion of the voice data is received.



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85. (Previously Presented) The method as in Claim 82, wherein the act of replaying the voice data is not done until the missing portion of the voice data is received.

86. (Previously Presented) In a first mobile telephone configured to send and receive network-based instant connect calls, a method comprising:

receiving voice data of a network-based instant connect call;

buffering the received voice data;

identifying a missing portion of the voice data;

in response to identifying the missing portion of the voice data, requesting the missing portion of the voice data;

receiving the missing portion of the voice data; and

in response to user input, playing the voice data with the missing portion included.

87. (Previously Presented) The method as in Claim 86, wherein the act of playing the voice data is not done until the missing portion of the voice data is received.

88. (Currently Amended) The method as in Claim 86, wherein at least a portion of ~~further including~~ the act of playing the voice data occurs while at least a portion of the voice data is being buffered.

89-91. (Cancelled)

**Please add the following new claims:**

92. (New) The method as in Claim 67, wherein the communication device comprises a mobile telephone.

93. (New) The method as in Claim 68, wherein the communication device comprises a mobile telephone.

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94. (New) The method as recited in Claim 52, wherein the act of receiving first voice data comprises receiving a first portion of a plurality of packets carrying voice data; and wherein the act of receiving second voice data comprises receiving a second portion of the plurality of packets carrying voice data.

95. (New) The method as recited in Claim 94, further comprising:  
analyzing the plurality of received packets to identify a missing packet; and  
in response to identifying the missing packet, requesting the identified missing packet;  
wherein the act of receiving third voice data comprises receiving the missing packet, the missing packet carrying the third voice data.

96. (New) A system comprising:  
a first mobile telephone configured to send and receive network-based instant connect calls, the first mobile telephone configured to:  
receive voice data of a network-based instant connect call;  
play the voice data;  
identify a missing portion of the voice data;  
in response to identifying the missing portion of the voice data, requesting the missing portion of the voice data;  
receiving the missing portion of the voice data; and  
in response to user input, replaying the voice data with the missing portion included.

97. (New) The system as in Claim 96, wherein the first mobile telephone is configured to receive voice data of a network-based instant connect call by receiving a plurality of packets carrying voice data.

98. (New) The system as in Claim 97, wherein the first mobile telephone is configured to identify a missing portion of the voice data by analyzing the plurality of received packets to identify one or more missing packets.

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99. (New) The system as in Claim 98, wherein the first mobile telephone is configured to receive the missing portion of the voice data by receiving the one or more missing packets.

100. (New) The system as in Claim 98, wherein the first mobile telephone is configured to request the missing portion of the voice data by requesting the one or more missing packets from a network server.

101. (New) The system as in Claim 98, wherein the first mobile telephone is configured to request the missing portion of the voice data by requesting the one or more missing packets from a second mobile telephone that sent the voice data to the first mobile telephone.

102. (New) The system as in Claim 96, wherein the first mobile telephone is further configured to buffer the voice data.

103. (New) The system of claim 102, wherein the first mobile telephone is further configured to buffer the voice data while playing the voice data.

104. (New) The system as in Claim 103, wherein the first mobile telephone is configured to not play the voice data until the missing portion of the voice data is received.

105. (New) The system as in Claim 102, wherein the first mobile telephone is configured to not play the voice data until the missing portion of the voice data is received.

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106. (New) A system comprising:

a first mobile telephone configured to send and receive network-based instant connect calls, the first mobile telephone configured to:

receive voice data of a network-based instant connect call;

buffer the received voice data;

identify a missing portion of the voice data;

in response to identifying the missing portion of the voice data, request the missing portion of the voice data;

receive the missing portion of the voice data; and

in response to user input, play the voice data with the missing portion included.

107. (New) The system as in Claim 106, wherein the first mobile telephone is configured to not play the voice data until the missing portion of the voice data is received.

108. (New) The system as in Claim 106, wherein the first mobile telephone is configured to play at least a portion of the voice data while at least a portion of the voice data is being buffered.

109. (New) The system as in Claim 106, wherein the first mobile telephone is configured to receive voice data of a network-based instant connect call by receiving a plurality of packets carrying voice data.

110. (New) The system as in Claim 109, wherein the first mobile telephone is configured to identify a missing portion of the voice data by analyzing the plurality of received packets to identify one or more missing packets.

111. (New) The system as in Claim 110, wherein the first mobile telephone is configured to receive the missing portion of the voice data by receiving the one or more missing packets.

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112. (New) The system as in Claim 110, wherein the first mobile telephone is configured to request the missing portion of the voice data by requesting the one or more missing packets from a network server.

113. (New) The system as in Claim 110, wherein the first mobile telephone is configured to request the missing portion of the voice data by requesting the one or more missing packets from a second mobile telephone that sent the voice data to the first mobile telephone.

114. (New) The method as in Claim 86, wherein the act of receiving voice data of a network-based instant connect call comprises receiving a plurality of packets carrying voice data.

115. (New) The method as in Claim 114, wherein the act of identifying a missing portion of the voice data comprises analyzing the plurality of received packets to identify one or more missing packets.

116. (New) The method as in Claim 115, wherein the act of receiving the missing portion of the voice data comprises receiving the one or more missing packets.

117. (New) The method as in Claim 115, wherein the act of requesting the missing portion of the voice data comprises requesting the one or more missing packets from a network server.

118. (New) The method as in Claim 115, wherein the act of requesting the missing portion of the voice data comprises requesting the one or more missing packets from a second mobile telephone that sent the voice data to the first mobile telephone.